

**BOARD OF MADISON COUNTY COMMISSIONERS**  
**July 8, 2008 MINUTES**

On Tuesday, July 8, 2008, a meeting of the Board of Madison County Commissioners came to order at 9:25 a.m. in the Commissioners' Conference Room of the Madison County Courthouse in Virginia City, Montana, with Commissioners Jim Hart and Marilyn Ross present. David Schulz was absent for family medical reasons.

Marilyn Ross moved to approve the July 1, 2008, minutes with corrections. Jim Hart seconded the motion. All voted aye and the motion carried.

Those people in attendance at the meeting were Dennis Haurany, Susan Haurany, John Bingham, Duane Thexton, Chris Murphy, Charity Fechter, Jim Jarvis, Phil Fortner, Chris Mumme, Shelly Burke, Chris Christensen, and those on the attached list.

**Public Discussion:** Dennis Haurany, Susan Haurany, John Bingham, Duane Thexton, and Chris Murphy, participants in the Madison Growth Solutions process, met with the Board to discuss the proposed Streamside Protection Regulations and presented the Board with a petition, with 41 signatures, requesting the Board to refocus the process. Those present asked the Board to table the ordinance, stating it was not based on Science but rather on emotions. Streamside Protection Discussion will be on the Commissioners' meeting agenda for July 15, 2008, at 2:00 p.m.

**Bradley Creek Subdivision Preliminary Plat:** Charity Fechter, Planning Director, and Jim Jarvis, Planner II, presented the Board with the preliminary plat of Bradley Creek Subdivision. Those people on the attached list were also present for this portion of the meeting. Jim Jarvis reviewed the staff report of Bradley Creek Ranch Subdivision Overall Development Plan, Preliminary Plat, and Variance Request, stating that the ODP, over the course of four phases, would create 110 lots, including 98 single family residential lots, 4 duplex residential lots (ranging from 1.6 acres to 52.8 acres in size), 8 ranch lots of at least 160 acres in size, and 109 acres of park space and open space, from 2118 acres; and that the project is located immediately west of US Highway 287 North, 1.5 miles south of Norris, Montana. Jim stated that this proposal eliminated 37 lots and excludes approximately 962 acres of property that was included in the previous proposal. This proposal includes a variance request from County road standards to allow private driveways to serve more than 2 ranch lots in the Phase 4 area. Jim reviewed the Findings of Fact and recommended conditions and stated that he found the proposal to be substantially in compliance and that both the Planning Board and Staff recommended approval. Tom Henesh, Big Sky Land Consultants, presented a slide show of the proposal and reviewed changes from the original proposal. Jim Hart commended the developers for doing a great job with the re-consideration of the project and Marilyn Ross thanked them for their consideration of work force housing. After hearing comments in favor of the proposal and none against the proposal, Marilyn Ross moved to approve the Overall Development Plan, Preliminary Plat, and Variance Request for Bradley Creek Subdivision in Sections 26, 27, 28, 33, 34, and 35, Township 3 South, Range 1 West with the Findings of Fact and Approval Conditions recommended by the Planning Board. Jim Hart seconded the motion. All voted aye and the motion carried.

**ML Condos (Summit View Phase IV) Preliminary Plat:** Charity Fechter, Planning Director, and Jim Jarvis, Planner II, presented the Board with the preliminary plat of ML Condominiums. Jim Jarvis explained that this subdivision will add 30 residential condo units in 2 buildings, one with 16 units and one with 14 units, adjacent to the existing 6-unit residential condo building, on a 4.3 acre parcel creating a total of 36 single-family residential condominiums, located on Summit View Drive and Heavy Runner Road in Big Sky, Montana. Jim stated that the developers have applied to be annexed into the Big Sky Water and Sewer District and that they have agreed to contribute to a traffic study for the Big Sky area. Per recommendation of the Planning Board and Staff, Marilyn Ross moved to approve the preliminary plat of ML Condominiums, Phase IV Tract of the corrected final plat of Summit View Subdivision, Phases I, II, and III, subject to the Findings of Fact and Approval Conditions set forth by the Planning Board. Jim Hart seconded the motion. All voted aye and the motion carried.

**Missing Finials on Courthouse Fence:** Phil Fortner, Deputy Sheriff, met with the Board to discuss missing finials on the fence around the Courthouse. Phil stated that there are a total of 11 finials missing and estimated the time frame of the theft was between June 19, 2008 and June 22, 2008. Because of the Historical nature of these finials, Marilyn Ross moved to offer a \$500 reward for information leading to the arrest and conviction of the person or persons who took the antique finials from the historic fence around the Courthouse. Jim Hart seconded the motion. All voted aye and the motion carried.

**Claims:** The Board approved claims.

**Southwest Montana Drug Task Force MOU:** Marilyn Ross moved to approve the State and Local Task Force Agreement between the Montana Department of Justice, Division of Criminal Investigation and the following local government jurisdictions: Beaverhead County, Deer Lodge County, Granite County, Jefferson County, Madison County, Powell County, Silver Bow County, and the City of Dillon, for the purpose of establishing general guidelines for a multi-agency task force to address drug-related crime, for Fiscal Year 2008-2009. Jim Hart seconded the motion. All voted aye and the motion carried.

**Virginia City Fire District Mill Levy Election:** Chris Mumme, Director of Emergency Management, met with the Board to discuss an election to set mills for the newly created Virginia City Rural Fire District. Chris will contact Peggy Kaatz, Election Administrator, to determine the best way to proceed.

**Public Hearing – Ordinance 2-2008:** Vice Chairman, Jim Hart opened the public hearing for the second reading of Ordinance 2-2008 at 2:12 p.m. Charity Fechter, Planning Director was present for the hearing. No members of the public were present. Jim Hart read the ordinance. Hearing no objections, Marilyn Ross moved to adopt Ordinance 2-2008, an ordinance to amend the Madison County Subdivision Regulations, Appendix A, Definitions, which shall take effect on August 7, 2008. Jim Hart seconded the motion. All voted aye and the motion carried.

**Grants – Maternal and Child Health:** Marilyn Ross moved to approve Task Order No. 09-07-5-01-028-0 to the Madison County Master Contract that covers the period July 1, 2005, through June 30, 2012, for the purpose of providing maternal and child health related services as required by the task order for Fiscal Year 2009. Jim Hart seconded the motion. All voted aye and the motion carried.

**Journal Vouchers:** Marilyn Ross moved to approve Journal Vouchers for the June 2008 accounting period. Jim Hart seconded the motion. All voted aye and the motion carried.

**Temporary Road Crew Positions:** Jim Hart notified the Board that he hired an emergency road crew person for the Ennis Road Crew, for a temporary period, to fill in for one of the regular crew members who is on extended medical leave. Marilyn Ross stated that she would like to table the topic of a Road Crew Position for the Harrison area until the next meeting.

**Investment Committee Meeting:** Shelly Burke, Treasurer, and Chris Christensen, County Attorney, were present for this portion of the meeting. Shelly presented the Committee with a summary of daily business and cash reconciliation for the close of business day, June 30, 2008. Shelly reviewed the summary and answered questions from others present.

With no further business the meeting was adjourned at 3:30 p.m.

---

David Schulz, Chairman  
Board of Madison County Commissioners

Date Approved: July 15, 2008

Minutes prepared by:

---

Laurie Buyan, Administrative Assistant

---

Peggy Kaatz, Clerk and Recorder, Madison County